

COUNCIL POLICY NO. C-15

TITLE: POLICY ON USE OF CITY RESOURCES FOR MARIJUANA BASED ACTIVITIES

POLICY: See below.

REFERENCE: Oregon Constitution, Article IV, Section 5, and Article XI, Section 2.

CITY OF SALEM POLICY CONCERNING USE OF CITY RESOURCES, INCLUDING CITY PROPERTY AND CITY FUNDS FOR MARIJUANA BASED ACTIVITIES

Whereas, Oregon law, with certain restrictions, allows the use, manufacture, and distribution of marijuana and marijuana products for personal use;

Whereas, marijuana is a schedule 1 controlled substance under federal law, and its use, manufacture, or distribution remains illegal under federal law;

Whereas, the City is committed to maintain the City as a drug-free workplace, in compliance with the Drug-Free Workplace Act of 1988;

Whereas, the City has made assurances to the federal government as conditions of receipt of federal grant funds that the City will not allow the use of certain City property in violation of federal law;

Whereas, the City maintains programs for the lease of City-owned property for lease for commercial and retail purposes;

Whereas, the City has the authority to provide City funds and other incentives for the private development of real property.

Now, therefore, the City of Salem hereby adopts the following policy:

1. **Leasing of Property.**

The City shall not lease real property to others if the property will be used for the use, farming, manufacture, distribution or transfer of marijuana or products containing marijuana.

The City shall include a provision in all lease agreements or permits of entry that violation of this policy shall be a default of the agreement or permit, and the agreement or permit shall be subject to termination.

2. **Grants or Loans.**

The City shall not grant or loan City funds in connection to any development that intends to or does allow the use, farming, manufacture, distribution or transfer of marijuana or products containing marijuana.

The City shall include a provision in all grant or loan agreements that requires grant or loan recipients, their heirs, successors and assigns, to comply with this policy for a period of two years from the final grant or loan disbursement, that violation of this policy shall be a default of the grant or loan agreement, and the defaulting party shall be obligated to immediately repay any grant or loan funds already disbursed.

3. **Use of Marijuana at City Facilities**

The City shall not permit the use of marijuana products at City facilities, and shall not issue permits or licenses for the use of City facilities, such as park facilities, meeting rooms or other City owned facility if the applicant for such a permit or license intends to use, or allow the use of, marijuana products at the City facility.